

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>STEVEN M. DENENBERG,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>8:05CV215</b>
	)	
<b>ROBERT RUDER,</b>	)	<b>ORDER</b>
	)	
<b>Defendant.</b>	)	
	)	

This matter is before the court on the Affidavit of counsel, Norman Denenberg, seeking an entry of default.

Rule 12(a) of the Federal Rules of Civil Procedure requires the defendants to answer or otherwise respond to the complaint within twenty (20) days after being served with summons and a copy of the complaint. The record shows that the defendant was served with summons on August 8, 2005 and has not timely responded to the Complaint.

**IT IS ORDERED** that counsel's Affidavit (#6), construed as a motion for entry of default, is granted, as follows:

1. The Clerk shall enter default against defendant, Robert Ruder, pursuant to Fed. R. Civ. P. 55(a).
2. The plaintiff shall file any motion for default judgment within thirty (30) days of the entry of default.

**DATED September 14, 2005.**

**BY THE COURT:**

s/ F.A. Gossett  
United States Magistrate Judge